

Inter Office Memo

City of Detroit
Downtown Development Authority



TO: BOARD OF DIRECTORS
DOWNTOWN DEVELOPMENT AUTHORITY

FROM: REBECCA A. NAVIN

DATE: JUNE 28, 2017

RE: ROBERT DAVIS ET AL. V. DETROIT DOWNTOWN DEVELOPMENT
AUTHORITY ET AL. – ENGAGEMENT OF COUNSEL

As the Board is aware, the City of Detroit Downtown Development Authority ("DDA") and Michael Duggan and Thomas Lewand, in their official capacities as DDA chair and DDA stand-in chair, among others, have been sued in Federal Court by Robert Davis and D. Etta Wilcoxon on several counts relating to the capture by the DDA of the 18 mill school operating millage. The firms of Kotz Sangster Wysocki P.C. and Fink + Associates Law (the "Firms") have acted as counsel in the litigation to the above-defendants pursuant to DDA Code 13-06-01-399 and the City of Detroit Brownfield Redevelopment Authority.

A resolution approving the engagement of the Firms is attached for the Board's consideration.



**ROBERT DAVIS ET AL. V. DETROIT DOWNTOWN DEVELOPMENT AUTHORITY
ET AL. – ENGAGEMENT OF COUNSEL**

WHEREAS, the City of Detroit Downtown Development Authority ("DDA") and Michael Duggan and Thomas Lewand, in their official capacities as DDA chair and DDA stand-in chair, among others, have been sued in Federal Court by Robert Davis and D. Etta Wilcoxon on several counts relating to the capture by the DDA of the 18 mill school operating millage; and

WHEREAS, the firms of Kotz Sangster Wysocki P.C. and Fink + Associates Law (the "Firms") have acted as counsel in the litigation to the above-defendants pursuant to DDA Code 13-06-01-399 and the City of Detroit Brownfield Redevelopment Authority; and

WHEREAS, the DDA Board has determined that engagement of the Firms is in the best interests of the DDA.

NOW, THEREFORE, BE IT RESOLVED, that the DDA Board of Directors hereby approves the engagement of the Firms.

BE IT FURTHER RESOLVED that the DDA Board of Directors hereby authorizes any two of its Officers or any two of its Authorized Agents or any one Officer and any one Authorized Agent to negotiate and execute all documents, contracts and papers and take such other actions necessary or appropriate to implement the provisions and intent of this resolution on behalf of the DDA.

BE IT FINALLY RESOLVED, that all of the acts and transactions of any Officer or Authorized Agent of the DDA, in the name and on behalf of the DDA, relating to matters contemplated by the foregoing resolutions, which acts would have been approved by the foregoing resolutions except that such acts were taken prior to execution of these resolutions, are hereby in all respects confirmed, approved and ratified.

June 28, 2017